

Public Notice – Approval of Water Quality Management Planning Actions

Notice of action: The State Water Control Board (Board) is considering the approval of thirty-six Total Maximum Daily Load (TMDL) reports and one TMDL modification, and granting authorization to include the TMDL reports in the appropriate Water Quality Management Plans (WQMPs).

Purpose of notice: The Board is seeking comment on the proposed approvals and authorizations. The purpose of these actions is to approve thirty-eight TMDL reports as Virginia's plans for the pollutant reductions necessary for attainment of water quality goals in several impaired waterbodies. These actions are taken in accordance with the Public Participation Procedures for Water Quality Management Planning.

Public comment period: March 3, 2008 to April 2, 2008

Description of proposed action: DEQ staff intends to recommend 1) that the DEQ Director approve the TMDL reports listed below as Virginia's plans for the pollutant reductions necessary for attainment of water quality goals in the impaired segments, and 2) that the DEQ Director authorize inclusion of the TMDL reports in the appropriate WQMPs. No regulatory amendments are required for these TMDLs and their associated waste load allocations.

At previous meetings, the Board voted unanimously to delegate to the DEQ Director the authority to approve TMDLs that do not include waste load allocations requiring regulatory adoption by the Board, provided that a summary report of the action the Director plans to take is presented to the Board prior to the Director approving the TMDL reports. The TMDLs included in this public notice will be approved using this delegation of authority.

The TMDLs listed below were developed in accordance with Federal Regulations (40 CFR §130.7) and are exempt from the provisions of Article II of the Virginia Administrative Process Act. The TMDLs have been through the TMDL public participation process contained in DEQ's Public Participation Procedures for Water Quality Management Planning. The public comment process provides the affected stakeholders an opportunity for public appeal of the TMDLs. EPA approved all TMDL reports presented under this public notice. The approved reports can be found at <https://www.deq.virginia.gov/TMDLDataSearch/ReportSearch.aspx>

Affected Waterbodies and Localities:

Potomac River & Shenandoah River Basins:

1. *"Bacteria Total Maximum Daily Load Development for Primary Contact Use and Shellfish Harvest Impairments on the Nansemond River and Mattox Creek Watersheds"*
 - 5 bacteria TMDLs, propose bacteria reductions for portions of the watersheds to address primary contact (swimming use) impairments and to address VDH Shellfish Area Condemnations
2. *"Bacteria Total Maximum Daily Load Development for the NF Shenandoah River, Stony Creek and Mill Creek"*
 - 3 bacteria TMDLs, located in Rockingham, Shenandoah, and Broadway Counties, propose bacteria reductions for portions of the watersheds to address primary contact (swimming use) impairments
3. *"Bacteria Total Maximum Daily Load Development for Hogue Creek"*
 - 1 bacteria TMDL, located in Frederick County, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments
4. *"Total Maximum Daily Load Development for Primary Contact Use Impairments Broad Run, South run, Popes Head Creek, Kettle Run, Little Bull Run, Bull Run, and the Occoquan River Watershed"*
 - 9 bacteria TMDLs, located in Prince William and Fauquier Counties, propose bacteria reductions for portions of the watersheds to address primary contact (swimming use) impairments

In the James River Basin:

5. *"Bacteria TMDLs for Nansemond River and Shingle Creek, Suffolk, Virginia"*
 - 2 bacteria TMDLs, located in Suffolk, proposes bacteria reductions for portions of the watersheds to address a primary contact (swimming use) impairment
6. *"Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – Nansemond River"*
 - 1 bacteria TMDL, located in Suffolk, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations
7. *"Bacteria TMDLs for Totier Creek, Ballinger Creek, Rock Island Creek, Slate River, Austin Creek, Frisby Branch, North River, and Troublesome Creek, in Albemarle and Buckingham Counties, Virginia"*
 - 9 bacteria TMDLs, located in Albemarle and Buckingham Counties, proposes bacteria reductions for portions of the watersheds to address a primary contact (swimming use) impairment
8. *"Bacteria TMDLs for Blackwater Creek, Fishing Creek, Ivy Creek, James River, Burton Creek, Judith Creek, and Tomahawk Creek, in Lynchburg, Virginia"*
 - 7 bacteria TMDLs, located in Lynchburg City, proposes bacteria reductions for portions of the watersheds to address a primary contact (swimming use) impairment
9. *"Bacteria Total Maximum Daily Load Development for Primary Contact Use –White Oak Swamp, Fourmile Creek, and Tuckahoe Watershed"*
 - 6 bacteria TMDLs, located in Henrico and Goochland Counties, propose bacteria reductions for portions of the watersheds to address primary contact (swimming use) impairments and to address VDH Shellfish Area Condemnations

10. *"Total Maximum Daily Load Development for Primary Contact Use Impairments in Fourmile Creek Watershed"*

- 11 bacteria TMDLs, located in Louise, Orange, Caroline, Hanover, King William, and New Kent Counties, propose bacteria reductions for portions of the watersheds to address primary contact (swimming use) impairments

In the Roanoke River Basin:

11. *"Bacteria TMDLs for the Banister River, Cherrystone Creek, Whitehorn Creek, Polecat Creek, Stinking River, and Sandy Creek"*

- 8 bacteria TMDLs, located in Pittsylvania, Henry, Halifax and Mecklenburg Counties, propose bacteria reductions for portions of the watersheds to address primary contact (swimming use) impairments

12. *"Bacteria TMDL for Great Creek, Mecklenburg County, Virginia"*

- 1 bacteria TMDL, located in Mecklenburg County, proposes bacteria reductions for portions of the watershed to address a primary contact (swimming use) impairment

In the Tennessee-Big Sandy River Basin:

13. *"General Standard (Benthic) and Bacteria Total Maximum Daily Load Development for Garden Creek"*

- 2 TMDLs, located in Buchanan County, proposes chloride and TDS reductions for portions of the watershed to address an aquatic life use (benthic) impairment and bacteria reductions for portions of the watershed to address primary contact (swimming use)

14. *"Bacteria and Benthic Total Maximum Daily Load Development for Knox and PawPaw Creeks"*

- 3 bacteria and benthic TMDLs, located in Buchanan County, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments and proposes sediment and TDS reductions for portions of the watersheds to address an aquatic life use (benthic) impairment

In the Chowan River Basin:

15. *"Total Maximum Daily Load Development for Primary Contact Use Impairments in Roses Creek" modification*

- 1 bacteria TMDL modification, located in Brunswick, Alberta Counties, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments

In the Chesapeake Bay-Small Coastal-Eastern Shore Basin:

16. *"Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – Barnes Creek, Pierce Creek, Nomini Creek, Buckner Creek, North Prong, Currioman Bay"*

- 6 bacteria TMDLs, located in Westmoreland County, propose bacteria reductions for portions of the watersheds to address VDH Shellfish Area Condemnations

17. *"Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – Ball, Mill, and Cloverdale Creeks"*

- 3 bacteria TMDLs, located in Northumberland County, propose bacteria reductions for portions of the watersheds to address VDH Shellfish Area Condemnations

18. *“Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – Church, Warehouse, Nassawadox, Westerhouse (a & b) Creeks and Holly Grove Cove”*
• 6 bacteria TMDLs, located in Northumberland County, proposes bacteria reductions for portions of the watersheds to address VDH Shellfish Area Condemnations
19. *“Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – The Gulf”*
• 1 bacteria TMDL, located in Northampton County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations
20. *“Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – Cherrystone Inlet: Kings Creek”*
• 1 bacteria TMDL, located in Northumberland, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations
21. *“Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – Old Plantation Creek”*
• 1 bacteria TMDL, located in Northumberland, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations
22. *“Total Maximum Daily Loads for the Shellfish Harvest Impairments in Folly Creek, Deep Creek, Hunting Creek, Bagwell Creek, Swans Gut, and Greenbackville Harbor”*
• 6 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watersheds to address VDH Shellfish Area Condemnations
23. *“Total Maximum Daily Load Reports for Shellfish Areas Listed Due to Bacteria Contamination -Horn Harbor, Doctors Creek and Davis Creek”*
• 3 bacteria TMDLs, located in Mathews County, propose bacteria reductions for portions of the watersheds to address VDH Shellfish Area Condemnations
24. *“Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – Chesconessex Creek”*
• 1 bacteria TMDL, located in Accomack County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations
25. *“Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination -Edwards Creek, Queens Creek, Stutts Creek, Morris Creek and Billups Creek”*
• 5 bacteria TMDLs, located in Mathews County, propose bacteria reductions for portions of the watersheds to address VDH Shellfish Area Condemnations
26. *“Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination and for Recreational Bacteria Impairments – Parker Creek, Assawoman Creek, and Little Mosquito Creek”*
• 6 bacteria TMDLs, located in Accomack County, propose bacteria reductions for portions of the watersheds to address VDH Shellfish Area Condemnations

In the Rappahannock River Basin:

27. *“Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – Corrotoman River Watershed, Rappahannock River Basin”*
• 9 bacteria TMDLs, located in Lancaster County, propose bacteria reductions for portions of the watersheds to address VDH Shellfish Area Condemnations
28. *“Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – Carter Creek and Eastern Branch”*

- 3 bacteria TMDLs, located in Lancaster County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

29. *“Bacteria Total Maximum Daily Load) Development for Blue Run, Rapidan River, March Run, UT to Rapidan River, and Cedar Run”*

- 6 bacteria TMDLs, located in Orange, Greene, Madison, Albemarle, Spotsylvania and Culpeper Counties, propose bacteria reductions for portions of the watersheds to address primary contact (swimming use) impairments

30. *“Total Maximum Daily Load Development for Primary Contact Use Impairments on Little Dark Run and the Robinson River”*

- 2 bacteria TMDLs, located in Madison County, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments

31. *“Total Maximum Daily Load for Primary Contact Use Impairments in the York River Basin”*

- 6 bacteria TMDLs, located Orange and Louisa Counties, propose bacteria reductions for portions of the watersheds to address primary contact (swimming use) impairments

32. *“Total Maximum Daily Load Development for Primary Contact Use Impairments on Matadequin and Mechumps Creek”*

- 2 bacteria TMDLs, located in Hanover County, propose bacteria reductions for portions of the watersheds to address primary contact (swimming use) impairments

33. *“Total Maximum Daily Loads for Bacteria Recreation Use Impairments on The Rappahannock River and Six Tributaries: Hughes River, Hazel River, Rush river, Craig Run, Browns Run and March Run”*

- 10 bacteria TMDLs, located in Culpeper, Fauquier, Madison and Rappahannock Counties, propose bacteria reductions for portions of the watersheds to address VDH Shellfish Area Condemnations

In the New River Basin:

34. *“Total Maximum Daily Load Development for Primary Contact Use and Aquatic Life Impairments in Laurel Fork Watershed”*

- 1 bacteria TMDL, located in Tazewell and Pocahontas Counties, propose bacteria reductions for portions of the watershed to address primary contact (swimming use) impairments and sediment reductions to address aquatic life

In the York River Basin:

35. *“Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – Aberdeen, Jones, Timberneck, Cedarbush and NS Carter Creeks”*

- 5 bacteria TMDLs, located in Gloucester County, propose bacteria reductions for portions of the watersheds to address VDH Shellfish Area Condemnations

36. *“Total Maximum Daily Load Development for Primary Contact Use Impairments in Pamunkey River Basin”*

- 11 bacteria TMDLs, located in Louise, Orange, Caroline, Hanover, King William, and New Kent Counties, propose bacteria reductions for portions of the watersheds to address primary contact (swimming use) impairments

37. *“Total Maximum Daily Load Report for Shellfish Areas Listed Due to Bacteria Contamination – Sarah Creek and Perrin River”*

- 2 bacteria TMDLs, located in Gloucester County, propose bacteria reductions for portions of the watershed to address VDH Shellfish Area Condemnations

How to comment: The DEQ accepts written comments by e-mail, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ by 5 p.m. on the last day of the comment period.

How a decision is made: After comments have been considered, the board will make the final decision.

To review documents: The TMDL reports and TMDL implementation plans are available on the DEQ web site at <https://www.deq.virginia.gov/TMDLDataSearch/ReportSearch.jsp> and by contacting the DEQ representative named below. The electronic copies are in PDF format and may be read online or downloaded.

Contact for public comments, document requests and additional information:

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